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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE

BRUCE G. BANH AND LEHANG PHAM,

Plaintiffs,

vs.

AURORA LOAN SERVICES; AND DOES 1-
100, INCLUSIVE,

Defendants.

Case No.: 5:11-cv-06365-PSG
Assigned to Mag. Paul Singh Grewal

~~PROPOSED~~ ORDER GRANTING
REQUEST TO APPEAR
TELEPHONICALLY AT HEARING ON
MOTION TO DISMISS PLAINTIFFS'
FIRST AMENDED COMPLAINT

Hearing Date:

Date: May 22, 2012

Time: 10:00 a.m.

Crtrm.: 5 – 4th Floor

FAC Filed: March 7, 2012

Trial Date: None

Pursuant to the written request by counsel for defendant Aurora Loan Services LLC (**Aurora**) to telephonically appear at the hearing on Aurora's motion to dismiss plaintiffs' first amended complaint set for May 22, 2012 at 10:00 a.m., this Court hereby grants such request.

Dated: 5/9/2012


The Honorable Paul Singh Grewal
United States Magistrate Judge

PROOF OF SERVICE

I am employed in the City and County of Denver, State of Colorado. I am over the age of 18 and not a party to the within action. My business address is 1400 Wewatta Street, Suite 500, Denver, Colorado 80202.

On **May 2, 2012**, I served the following documents on the persons below as follows:

~~PROPOSED~~ ORDER GRANTING REQUEST TO APPEAR TELEPHONICALLY AT HEARING ON MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT

Michael Yesk, Esq.
4 Fairway Place
Pleasant Hill, CA 94523
(510) 909-9700
yesklaw@gmail.com
Attorney for Plaintiffs

- ☐ (MAIL) I placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Denver, Colorado.
- ☒ (OVERNIGHT DELIVERY) I deposited in a box or other facility regularly maintained by Federal Express, an express service carrier, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document in sealed envelopes or packages designated by the express service carrier, addressed as stated above, with fees for overnight delivery paid or provided for.
- ☐ (MESSENGER SERVICE) I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed and provided them to a professional messenger service for service. A separate Personal Proof of Service provided by the professional messenger service will be filed under separate cover.
- ☐ (FACSIMILE) Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.
- ☐ (E-MAIL or ELECTRONIC TRANSMISSION) Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ (CM/ECF Electronic Filing) I caused the above document(s) to be transmitted to the office(s) of the addressee(s) listed above by electronic mail at the e-mail address(es) set forth above pursuant to Fed.R.Civ.P.5(d)(1). "A Notice of Electronic Filing (NEF) is generated automatically by the ECF system upon completion of an electronic filing. The NEF, when e-mailed to the e-mail address of record in the case, shall constitute the proof of service as required by Fed.R.Civ.P.5(d)(1). A copy of the NEF shall be attached to any document served in the traditional manner upon any party appearing pro se."

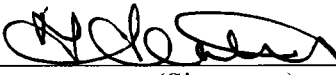
I declare under penalty of perjury that I am employed in the office of a member of the bar of this Court at whose direction this service was made and that the foregoing is true and correct.

☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (Federal) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on **May 2, 2012**, at Denver, Colorado.

Tracie Jenkins
(Type or print name)


(Signature)

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